

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE PURCHASE
OF ONE CITY VEHICLE FROM THE NATIONAL AUTO FLEET GROUP THROUGH A COOPERATIVE
PROCUREMENT CONTRACT**

WHEREAS, Section I-2-3.08 (“Cooperative Procurement”) of the Milpitas Municipal Code authorizes the City Council to award contracts without competition, when the purchase is pursuant to a cooperative agreement by another public agency in California that used competitive negotiation or bidding procedures at least as restrictive as the City’s; and

WHEREAS, Municipal Code Section I-2-3.08 (“Cooperative Procurement”) specifically authorizes the Purchasing Agent to make such purchases based on an agreement or cooperative purchasing program entered into by any of the following public agencies, regardless of whether the City is a named party to the agreement or an actual participant in such a program: (a) Any public agency situated within the State, if the underlying purchase was made using competitive negotiation, or bidding procedures at least as restrictive as the City's, including the California Multiple Award Schedules (CMAS), the U.S. Communities Government Purchasing Alliance, National Joint Powers Alliance (NJPA), Western States Contracting Alliance (WSCA) or any California County contract; and (b) The Federal GSA Contracts; and

WHEREAS, a contract was awarded to National Auto Fleet Group pursuant to the National Joint Powers Alliance Request for Proposal (RFP) #102811 entitled “Passenger Cars, Light Duty, Medium Duty, and Heavy Duty Trucks with Related Accessories”; and

WHEREAS, the Purchasing Agent has reviewed all of the documentation related to the RFP and the original contract awarded to National Auto Fleet Group (contract #102811-NAF), and has determined that the underlying purchase was made using competitive bidding procedures at least as restrictive as those of the City of Milpitas and that the price for the vehicle is the same as that offered in the original contract.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Purchasing Agent is authorized to purchase one 2017 Chevrolet Tahoe for the Fire Department to replace equipment that has reached the end of its useful life. This is a cooperative purchase through the NJPA from National Auto Fleet Group in the combined total not-to-exceed amount of \$44,263.48.

PASSED AND ADOPTED this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney